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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/983,318 01/15/98 HUOTARI

S PM244515/296

EXAMINER

WM01/1002

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ART UNIT

PAPER NUMBER

2683

DATE MAILED:

10/02/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/983,318

Applicant(s)

HUOTARI, SEPPO

Examiner

Tilahun B Gesesse

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 7-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 7-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,3-5,7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brochu et al (us 5,711,006) in view of Alperovich et al (us 6,078,804).

As per claim 1,3-5,7 and 9- 10, Brochu et al disclose a method of transmitting an identity of a calling subscriber to a called subscriber in a mobile communication system (see fig.1)

Brochu et al disclose switching centers for establishing a speech connection between the subscriber A (12) and a mobile station assigned to the subscriber B (26), and a home location register (HLR) (16) associated in the network for permanent storage of subscriber data on mobile stations (MS) registered in the network, and at least one visitor location register (VLR)(22) for temporary storage of subscriber data on the mobile station (MS) located in a geographical area monitored by the visitor location register, wherein one of the switching centers (24)is associated with the mobile station associated with the subscriber B, (see col. 3 and 4 lines 53-68 and lines 1-60 respectively).

Brochu et al fail to disclose transmitting the identity of subscriber A to the switching center associated with the subscriber B via signaling which meets at least one of the following conditions; the signaling occurs over a path different from the speech connection; and the signaling occurs at a time prior to call set-up between the subscribers A and B. However, Alperovich et al disclose before routing an emergency call setup request signal received from a

mobile subscriber toward a particular emergency service terminal , subscriber specified data associated with that particular subscriber are retrieved. By analyzing such retrieved data , the service mobile switching center is better able to ascertain the individual need of the mobile subscriber and accordingly routes the emergency call towards the appropriate emergency service operator capable of providing effective assistance to the mobile subscriber in need, see abstract therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was a made to modify Brochu in transmitting identity (subscriber specified data) to switching center and before routing an emergency call setup request signal received, route the emergency call to the emergency team, as disclosed by Alperovich, in order to speed up the call process for the emergency team to respond to the emergency call.

As per claim 8, Brochu et al disclose a MAP PROVIDE\_ROAMING\_NUMBER message (forwarding a ROUT REQ (INVOKE) message from HLR to VLR (see fig.4).

*Response to Arguments*

3. Applicant's arguments filed June 29, 2001 have been fully considered but they are not persuasive for the following response to arguments.

I. Applicant grossly argued that the combination of Brochu and Alperovich fail to disclose, teach or suggest a method of transmitting an identity for a calling subscriber to a called subscriber in mobile communication system, see page 1, lines 21-30.

However, as Brochu in view of Alperovich explained in the office action , Alperovich et al disclose before routing an emergency call setup request signal received from a mobile subscriber toward a particular emergency service terminal, subscriber specified data associated with that particular subscriber are retrieved, see abstract and applicant's admission that Alperovich teach, see page 2 lines 4-7.

II. Applicant argued that the emergency service terminal referred to in Alperovich is not a subscriber in a mobile communication system, see page 2 lines 9-10.

However, emergency call is signaling through public network to subscriber as well as emergency personnel. In this particular teaching of Alperovich emergency service terminal "subscriber". A subscriber is a broad term which means any user of a service, such as, communication service from a service provider.

Applicant's claim recites that signaling which meets at least one of the following conditions: hence, Alperovich et al teach the signaling occurs at a time prior to call set-up between the subscriber A and B.

Therefore, the obvious type of rejection Brochu et al in view of Alperovich et al is proper and maintained.

#### *Conclusion*

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. *Any response to this action should be mailed to:*

*Commissioner of Patents and Trademarks*

*Washington, D.C. 20231*

*or faxed to:*

*(703) 308-9051, (for formal communications intended for entry)*

*Or:*

*(703) 305-9508 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")*

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington,  
VA., Sixth Floor (Receptionist).*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun Gesesse whose telephone number is (703) 308-5873.. The examiner can normally be reached on Monday-Thursday from 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost, can be reached on (703) 308-5318. The fax phone number for this Group is (703) 308-6306 or (703) 308-6296.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Mar. 22, 2001

*Tilahun Gesesse*



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
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